

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
JASON HAWTHORNE,	)	8:09-cr-81
MICHAEL DAVIS,	)	
CHAD WINTERS,	)	SCHEDULING ORDER
KENNY DOFNER,	)	(Rule 17.1)
GREGORY STANEK, and	)	
BRADFORD WINNIE,	)	
	)	
Defendants.	)	

A pretrial status conference was held on September 22, 2009 pursuant to Fed. R. Crim. P. 17.1 for the purpose of resolving scheduling conflicts and establishing a trial date. Counsel participating were Maria Moran and Robert Sigler for the United States, Julie B. Hansen for Jason Hawthorne, Barbara Thielen for Kenny Dofner, Dana C. Bradford, III for Gregory Stanek, Donald L. Schense for Chad Winters, James Kozel for Michael Davis, and Beau G. Finley for Bradford Winnie.

Pursuant to 18 U.S.C. 3161(h)(7)(B)(ii), the court finds that this case is so unusual or complex, due to the number of defendants and the nature of the prosecution, that it is unreasonable to expect adequate preparation for pretrial proceedings or for trial within the time limits established by the Speedy Trial Act.

**IT IS ORDERED:**

1. Any appeal of Magistrate Judge Thalken's order of September 9, 2009 (Doc. 143) shall be filed no later than **September 25, 2009**.
2. All motions in limine shall be filed on or before **November 30, 2009**.
3. On or before **December 18, 2009**, counsel for the United States shall present all defendants with proposed stipulations of fact. All defendants are given until and including **January 5, 2010** to respond to the government's proposed stipulations of fact.
4. The jury trial now set for October 6, 2009 is continued to **January 19, 2010** as to all defendants.
5. In accordance with 18 U.S.C. § 3161(h)(7)(B)(ii), the court finds that the ends of justice will be served by continuing this trial and outweigh the interests of the public and the

defendant in a speedy trial. The time between **October 6, 2009 and January 19, 2010** shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act because this case is so unusual or complex, due to the number of defendants and the nature of the prosecution, that it is unreasonable to expect adequate preparation for pretrial proceedings or for trial within the time limits established by the Act. The failure to grant additional time might result in a miscarriage of justice.

**DATED September 22, 2009.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**